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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

General recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change

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I. Introduction

1. Climate change is exacerbating both the risk and the impacts of disasters globally, by increasing the frequency and severity of weather and climate hazards, which heightens the vulnerability of communities to those hazards. [1] There is scientific evidence that a large proportion of extreme weather events around the world are a result of human-caused changes to the climate.[2] The human rights consequences of such disasters are apparent in the form of political and economic instability, growing inequality, declining food and water security and increased threats to health and livelihoods.[3] Although climate change affects everyone, those countries and populations that have contributed the least to climate change, including people living in poverty, young people and future generations, are the most vulnerable to its impacts.

2. Women, girls, men and boys are affected differently by climate change and disasters, with many women and girls experiencing greater risks, burdens and impacts. [4] Situations of crisis exacerbate pre-existing gender inequalities and compound the intersecting forms of discrimination against, among others, women living in poverty, indigenous women, women belonging to ethnic, racial, religious and sexual minority groups, women with disabilities, refugee and asylum-seeking women, internally displaced, stateless and migrant women, rural women, unmarried women, adolescents and older women, who are often disproportionately affected compared with men or other women.[5]

3. In many contexts, gender inequalities limit the control that women and girls have over decisions governing their lives, as well as their access to resources such as food, water, agricultural input, land, credit, energy, technology, education, health services, adequate housing, social protection and employment.[6] As a result of those inequalities, women and girls are more likely to be exposed to disaster-induced risks and losses relating to their livelihoods, and they are less able to adapt to changes in climatic conditions. Although climate change mitigation and adaptation programmes may provide new employment and livelihood opportunities in sectors such as agricultural production, sustainable urban development and clean energy, failure to address the structural barriers faced by women in gaining access to their rights will increase gender-based inequalities and intersecting forms of discrimination.

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[1] Intergovernmental Panel on Climate Change, *Climate Change 2014: Synthesis Report — Contribution of Working Groups I, II and III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change* (Geneva, 2013). The Panel notes that climate change "refers to a change in the state of the climate that can be identified (e.g. using statistical tests) by changes in the mean and/or the variability of its properties, and that persists for an extended period, typically decades or longer".

[2] Susan J. Hassol and others, "(Un)Natural disasters: communicating linkages between extreme events and climate change", *WMO Bulletin*, vol. 65, No. 2 (Geneva, World Meteorological Organization, 2016).

[3] United Nations Development Programme (UNDP), "Climate change and disaster risk reduction", 23 March 2016.

[4] See Commission on the Status of Women, resolutions 56/2 and 58/2 on gender equality and the empowerment of women in natural disasters, adopted by consensus in March 2012 and March 2014.

[5] See, for example, general recommendation No. 27 (2010) on older women and the protection of their human rights.

[6] For the purposes of the present general recommendation, all references to "women" should be read to include women and girls, unless otherwise noted.

4. Mortality and morbidity levels in situations of disaster are higher among women and girls.[7] Owing to gender-based economic inequalities, women, and women heads of household in particular, are at a higher risk of poverty and more likely to live in inadequate housing in urban and rural areas of low land value that are vulnerable to such impacts of climate-related events as floods, storms, avalanches, earthquakes, landslides and other hazards.[8] Women and girls in situations of conflict are particularly exposed to risks associated with disasters and climate change. The higher levels of mortality and morbidity among women during and following disasters are also a result of the inequalities that they face in gaining access to adequate health care, food and nutrition, water and sanitation, education, technology and information.[9] In addition, failure to engage in gender-responsive disaster planning and implementation often results in protective facilities and infrastructure, such as early warning mechanisms, shelters and relief programmes, that neglect the specific accessibility needs of diverse groups of women, including women with disabilities, older women and indigenous women.[10]

5. Women and girls also face a heightened risk of gender-based violence during and following disasters. In the absence of social protection schemes and in situations in which there is food insecurity combined with impunity for gender-based violence, women and girls are often exposed to sexual violence and exploitation as they attempt to gain access to food and other basic needs for family members and themselves. In camps and temporary settlements, the lack of physical security, as well as the lack of safe and accessible infrastructure and services, including drinking water and sanitation, also result in increased levels of gender-based violence against women and girls. Women and girls with disabilities are at particular risk of gender-based violence and sexual exploitation during and following disasters, owing to discrimination on the basis of physical limitations and barriers to communication and the inaccessibility of basic services and facilities. Domestic violence, early and/or forced marriage, trafficking in persons and forced prostitution are also more likely to occur during and following disasters.

6. As the higher vulnerability and exposure of women and girls to disaster risk and climate change are economically, socially and culturally constructed, they can be reduced. The level of vulnerability may vary according to the type of disaster and the geographical and sociocultural contexts.

7. The categorization of women and girls as passive "vulnerable groups" in need of protection from the impacts of disasters is a negative gender stereotype that fails to recognize the important contributions of women in the areas of disaster risk reduction, post-disaster management and climate change mitigation and adaptation strategies.[11] Well-designed disaster risk reduction and climate change initiatives that

[7] Eric Neumayer and Thomas Plümper, "The gendered nature of natural disasters: the impact of catastrophic events on the gender gap in life expectancy, 1981–2002", *Annals of the Association of American Geographers*, vol. 97, No. 3 (2007).

[8] United Nations, *Global Assessment Report on Disaster Risk Reduction 2015: Making Development Sustainable–The Future of Disaster Risk Management* (New York, 2015); *Disasters without Borders: Regional Resilience for Sustainable Development: Asia-Pacific Disaster Report 2015* (United Nations publication, Sales No. E.15.II.F.13).

[9] C. Bern and others, "Risk factors for mortality in the Bangladesh cyclone of 1991", *Bulletin of the World Health Organization*, vol. 71, No. 1 (1993).

[10] Tripartite Core Group, "Post-Nargis joint assessment", July 2008; Lorena Aguilar and others, "Training manual on gender and climate change" (San José, International Union for Conservation of Nature, UNDP and Gender and Water Alliance, 2009).

[11] United Nations, *Global Assessment Report on Disaster Risk Reduction 2015*; UNDP, "Clean development mechanism: exploring the gender dimensions of climate finance mechanisms", November 2010; UNDP, "Ensuring gender equity in climate change financing" (New York, 2011).

provide for the full and effective participation of women can advance substantive gender equality and the empowerment of women, while ensuring that sustainable development, disaster risk reduction and climate change objectives are achieved.[12] It should be underlined that gender equality is a precondition for the realization of the Sustainable Development Goals.

8. In the light of the significant challenges in, and opportunities for, the realization of women's human rights presented by climate change and disaster risk, the Committee on the Elimination of Discrimination against Women has provided specific guidance for States parties on the implementation of their obligations relating to disaster risk reduction and climate change under the Convention on the Elimination of All Forms of Discrimination against Women. In its concluding observations on the reports of States parties and in several of its general recommendations, the Committee has underlined that States parties and other stakeholders have obligations to take specific steps to address discrimination against women in the fields of disaster risk reduction and climate change, through the adoption of targeted laws, policies, mitigation and adaptation strategies, budgets and other measures.[13] In its statement on gender and climate change, the Committee outlined that all stakeholders should ensure that climate change and disaster risk reduction measures were gender responsive and sensitive to indigenous knowledge systems and that they respected human rights. The right of women to participate at all levels of decision-making must be guaranteed in climate change policies and programmes (A/65/38, part one, annex II).

9. The Committee notes that other United Nations human rights mechanisms, including the Human Rights Council and the special procedures mandate holders, the Committee on Economic, Social and Cultural Rights, the Committee on the Rights of Persons with Disabilities and the Committee on the Rights of the Child, refer with increasing frequency to the negative consequences of climate change, environmental degradation and disasters. Those mechanisms have also affirmed the obligations of Governments and other stakeholders to take immediate, targeted steps to prevent and mitigate the negative human rights impacts of climate change and disasters and to provide technical and financial support for disaster risk reduction and climate change adaptation measures.

II. Objective and scope

10. Pursuant to article 21 (1) of the Convention, the present general recommendation provides guidance to States parties on the implementation of their obligations under the Convention in relation to disaster risk reduction and climate change. In their reports submitted to the Committee pursuant to article 18, States parties should address general obligations to ensure substantive equality between

[12] Senay Habtezion, "Gender and disaster risk reduction", Gender and Climate Change Asia and the Pacific Policy Brief, No. 3 (New York, UNDP, 2013); World Health Organization (WHO), "Gender, climate change and health" (Geneva, 2010).

[13] For concluding observations, see CEDAW/C/SLB/CO/1–3, paras. 40–41; CEDAW/C/PER/CO/7–8, paras. 37–38; CEDAW/C/GIN/CO/7–8, para. 53; CEDAW/C/GRD/CO/1–5, paras. 35–36; CEDAW/C/JAM/CO/6–7, paras. 31–32; CEDAW/C/SYC/CO/1–5, paras. 36–37; CEDAW/C/TGO/CO/6–7, para. 17; CEDAW/C/DZA/CO/3–4, paras. 42–43; CEDAW/C/NLZ/CO/7, paras. 9 and 36–37; CEDAW/C/CHI/CO/5–6, paras. 38–39; CEDAW/C/BLR/CO/7, paras. 37–38; CEDAW/C/LKA/CO/7, paras. 38–39; CEDAW/C/NPL/CO/4–5, para. 38; and CEDAW/C/TUV/CO/2, paras. 55–56. See also general recommendation No. 27 (2010) on older women and the protection of their human rights, para. 25, and general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention, para. 11.

women and men in all areas of life, as well as the specific guarantees in relation to those rights under the Convention that may be particularly affected by climate change and disasters, including extreme weather events such as floods and hurricanes, as well as slow-onset phenomena, such as the melting of polar ice caps and glaciers, drought and sea-level rise.

11. The present general recommendation may also be used to inform the work of civil society organizations, international and regional intergovernmental organizations, educators, the scientific community, medical personnel, employers and any other stakeholders engaged in activities connected to disaster risk reduction and climate change.

12. The objective of the present general recommendation is to underscore the urgency of mitigating the adverse effects of climate change and to highlight the steps necessary to achieve gender equality, the realization of which will reinforce the resilience of individuals and communities globally in the context of climate change and disasters. It is also intended to contribute to coherence, accountability and the mutual reinforcement of international agendas on disaster risk reduction and climate change adaptation, by focusing on the impacts of climate change and disasters on women's human rights.

13. In the present general recommendation, the Committee does not exhaustively cover the gender-related dimensions of climate change mitigation and adaptation measures, nor does it differentiate between disasters relating to climate change and other disasters. It should be emphasized, however, that a large proportion of contemporary disasters may be attributed to human-induced climatic changes and that the recommendations provided herein are also applicable to hazards, risks and disasters that are not directly linked to climate change. For the purposes of the present general recommendation, disasters are defined as including all those events, small-scale and large-scale, frequent and infrequent, sudden- and slow-onset, caused by natural or human-made hazards, and related environmental, technological and biological hazards and risks, mentioned in the Sendai Framework for Disaster Risk Reduction 2015–2030, as well as any other chemical, nuclear and biological hazards and risks. Such hazards and risks include the testing and use of all types of weapons by State and non-State actors.

14. The obligations of States parties to effectively mitigate and adapt to the adverse effects of climate change, in order to reduce the increased disaster risk, have been recognized by international human rights mechanisms. Limiting fossil fuel use and greenhouse gas emissions and the harmful environmental effects of extractive industries such as mining and fracking, and the allocation of climate financing, are regarded as crucial steps in mitigating the negative human rights impacts of climate change and disasters. Any mitigation or adaptation measures should be designed and implemented in accordance with the human rights principles of substantive equality and non-discrimination, participation and empowerment, accountability and access to justice, transparency and the rule of law.

15. The present general recommendation is focused on the obligations of States parties and non-State actors to take effective measures to prevent, mitigate the adverse effects of and respond to disasters and climate change and, in that context, to ensure that the human rights of women and girls are respected, protected and fulfilled in accordance with international law. Three mutually reinforcing areas for action by stakeholders are identified, centring on the general principles of the Convention applicable to disaster risk and climate change, specific measures to address disaster risk reduction and climate change and specific areas of concern.

III. Convention on the Elimination of All Forms of Discrimination against Women and other relevant international frameworks

16. The Convention promotes and protects women's human rights, and this should be understood to apply at all stages of climate change and disaster prevention, mitigation, response, recovery and adaptation. In addition to the Convention, several specific international frameworks govern disaster risk reduction, climate change mitigation and adaptation, humanitarian assistance and sustainable development, and a number of them also address gender equality. Those instruments should be read together with the provisions of the Convention.

17. In the Rio Declaration on Environment and Development, of 1993, and reiterated in the outcome document of the United Nations Conference on Sustainable Development, entitled "The future we want", of 2012, the particularly vulnerable situation of small island developing States was acknowledged and the principle of gender equality and the need to ensure the effective participation of women and indigenous peoples in all initiatives relating to climate change were reaffirmed.

18. In the Sendai Framework, it was emphasized that women and their participation were critical to effectively managing disaster risk and designing, resourcing and implementing gender-sensitive disaster risk reduction policies, plans and programmes, and that adequate capacity-building measures needed to be taken to empower women for preparedness, as well as to build their capacity to secure alternate livelihood means in post-disaster situations. Empowering women to publicly lead and promote gender-equitable and universally accessible response, recovery, rehabilitation and reconstruction approaches was also emphasized.[14]

19. In the United Nations Framework Convention on Climate Change, States parties were called upon to take action on climate change on the basis of equity and in accordance with their common but differentiated responsibilities and capabilities. It was recognized that, although climate change affected everyone, countries who had contributed the least to greenhouse gas emissions, as well as people living in poverty, children and future generations, were the most affected. Climate equity required that, in global efforts to mitigate the adverse effects of and adapt to climate change, the needs of countries, groups and individuals, including women and girls, which were the most vulnerable to its adverse impacts, were prioritized.

20. In 2014, the Conference of the Parties to the United Nations Framework Convention on Climate Change adopted decision 18/CP.20, entitled "Lima work programme on gender", in which it established a plan for promoting gender balance and achieving gender-responsive climate policies developed for the purpose of guiding the effective participation of women in the bodies established under the Convention. In 2017, the Conference of the Parties adopted decision 3/CP.23, entitled "Establishment of a gender action plan", in which it agreed to advance the full, equal and meaningful participation of women and promote gender-responsive climate policy and the mainstreaming of a gender perspective into all elements of climate action.

21. In the Paris Agreement under the United Nations Framework Convention on Climate Change, the Conference of the Parties noted that Parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights, the right to health, the rights of indigenous peoples, local communities, migrants, children, persons with disabilities and people in vulnerable

[14] General Assembly resolution 69/283, annex II, paras. 36 (a) (i) and 32, respectively.

situations and the right to development, as well as gender equality, the empowerment of women and intergenerational equity. They also acknowledged that adaptation, including capacity-building for mitigation and adaptation action, should be gender-responsive, participatory and fully transparent, taking into consideration vulnerable groups, communities and ecosystems.

22. The Sustainable Development Goals contain important targets on gender equality, including those in Goals 3–6 and 10, and on climate change and disaster risk reduction, in Goals 11 and 13.

23. At the third International Conference on Financing for Development, held in Addis Ababa in 2015, participants adopted documents that link gender equality and women's rights with climate change adaptation and disaster risk reduction and called upon States to integrate those issues into development financing.

24. Participants in the World Humanitarian Summit, in 2016, called for gender equality, the empowerment of women and women's rights to become pillars of humanitarian action, including in disaster preparedness and response. Also in 2016, in the New Urban Agenda, the participants in the United Nations Conference on Housing and Sustainable Urban Development (Habitat III) recognized the need for gender-responsive measures to ensure that urban development was sustainable, resilient and contributed to climate change mitigation and adaptation.

IV. General principles of the Convention applicable to disaster risk reduction and climate change

25. Several cross-cutting principles and provisions of the Convention are of crucial importance and should serve as guidance in the drafting of legislation, policies, plans of action, programmes, budgets and other measures relating to disaster risk reduction and climate change.

26. **States parties should ensure that all policies, legislation, plans, programmes, budgets and other activities relating to disaster risk reduction and climate change are gender responsive and grounded in human rights-based principles, including the following:**

(a) Equality and non-discrimination, with priority being accorded to the most marginalized groups of women and girls, such as those from indigenous, racial, ethnic and sexual minority groups, women and girls with disabilities, adolescents, older women, unmarried women, women heads of household, widows, women and girls living in poverty in both rural and urban settings, women in prostitution and internally displaced, stateless, refugee, asylum-seeking and migrant women;

(b) Participation and empowerment, through the adoption of effective processes and the allocation of the resources necessary to ensure that diverse groups of women have opportunities to participate in every stage of policy development, implementation and monitoring at each level of government, at the local, national, regional and international levels;

(c) Accountability and access to justice, which require the provision of appropriate and accurate information and mechanisms in order to ensure that all women and girls whose rights have been directly and indirectly affected by disasters and climate change are provided with adequate and timely remedies.

27. Those three general principles — equality and non-discrimination, participation and empowerment, accountability and access to justice — are fundamental to

ensuring that all interventions relating to disaster risk reduction in the context of climate change are implemented in accordance with the Convention.

A. Substantive equality and non-discrimination

28. States parties have obligations under article 2 of the Convention to take targeted and specific measures to guarantee equality between women and men, including the adoption of participatory and gender-responsive policies, strategies and programmes relating to disaster risk reduction and climate change, across all sectors. Article 2 identifies the specific, core obligations of States parties to ensure substantive equality between women and men in all areas covered by the Convention and to take legislative, policy-based and other measures to that effect.[15] The obligation to take all appropriate measures, including with regard to legislation, in all fields, to guarantee the full development and advancement of women on a basis of equality with men, is further expanded in articles 3 and 24 of the Convention.

29. Intersecting forms of discrimination may limit the access of particular groups of women to the information, political power, resources and assets that would help them to mitigate the adverse effects of disasters and climate change. In its general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention, as well as in general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women, general recommendation No. 33 (2015) on women's access to justice, general recommendation No. 34 (2016) on the rights of rural women, general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, and general recommendation No. 36 (2017) on the right of girls and women to education, the Committee reiterated that discrimination against women was inextricably linked to other factors that affected their lives.

30. The present general recommendation does not contain an exhaustive list of every group of right holders for which respect of their rights must be integrated into laws, policies, programmes and strategies on disaster risk reduction and climate change. The principles of non-discrimination and substantive equality, which form the foundation of the Convention, require that States parties take all measures necessary to ensure that direct and indirect discrimination, as well as intersecting forms of discrimination, are redressed. Specific measures, including temporary special measures, legislation that prohibits intersecting forms of discrimination and resource allocation, are necessary to ensure that all women and girls are able to participate in the development, implementation and monitoring of policies and plans relating to climate change and disasters.

31. **As outlined in general recommendation No. 28, States parties have obligations to respect, protect and fulfil the principle of non-discrimination towards all women, against all forms of discrimination, in all areas, even those not explicitly mentioned in the Convention, and to ensure the equal development and advancement of women in all areas. To ensure substantive equality between women and men in the context of disaster risk reduction and climate change, States parties should take specific, targeted and measurable steps:**

(a) **To identify and eliminate all forms of discrimination, including intersecting forms of discrimination, against women in legislation, policies, programmes, plans and other activities relating to disaster risk reduction and climate change. Priority should be accorded to addressing discrimination in**

[15] See general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention.

relation to the ownership, access, use, disposal, control, governance and inheritance of property, land and natural resources, as well as barriers that impede the exercise by women of their full legal capacity and autonomy in areas such as freedom of movement and equal access to economic, social and cultural rights, including to food, health, work and social protection. Women and girls should be empowered through specific policies, programmes and strategies so that they are able to exercise their right to seek, receive and impart information relating to climate change and disaster risk reduction;

(b) To create effective mechanisms to guarantee that the rights of women and girls are a primary consideration in devising measures relating to disaster risk reduction and climate change at the local, national, regional and international levels. Measures must be taken to ensure that high-quality infrastructure and critical services are available, accessible and culturally acceptable for all women and girls on a basis of equality.

B. Participation and empowerment

32. The participation of diverse groups of women and girls, and the development of their leadership capacity, at various levels of government and within local communities is essential to ensuring that the prevention of and response to disasters and the adverse effects of climate change are effective and incorporate perspectives from all sectors of society. Promoting the participation of girls and young women in the creation, development, implementation and monitoring of policies and plans relating to climate change and disaster risk reduction is essential, because those groups are often overlooked, even though they will experience the impacts of those phenomena throughout their lifetimes.

33. Women make significant contributions to household, local, national, regional and international economies and to environmental management, disaster risk reduction and climate change resilience at various levels. At the local level, the traditional knowledge held by women in agricultural regions is particularly important in that respect, because those women are well positioned to observe changes in the environment and respond to them through adaptive practices in crop selection, planting, harvesting, land conservation techniques and careful management of water resources.

34. The Intergovernmental Panel on Climate Change has noted that most local communities develop adaptation practices that could and should be identified and followed, in order to tailor effective adaptation and response strategies relating to disaster risk reduction and climate change.[16] In the Paris Agreement, the Conference of the Parties acknowledged that climate change adaptation should be guided by the best available science and, as appropriate, by traditional, indigenous and local knowledge systems, a view that aligns with the many provisions in the Convention, including articles 7, 8 and 14, that provide that States parties should ensure that all women are provided with meaningful opportunities to participate in political decision-making and development planning.

35. Articles 7 and 8 of the Convention provide that women should have equality in political and public life at the local, national and international levels, and article 14 reiterates that rural women have the right to participate in development planning and agricultural reform activities. That guarantee of political equality encompasses

[16] Intergovernmental Panel on Climate Change, *Climate Change 2007: Synthesis Report – Contribution of Working Groups I, II and III to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change* (Geneva, 2007).

leadership by women and the representation and participation of women, which are components that are essential to the development and implementation of effective programmes and policies relating to disaster risk reduction and climate change that take into account the needs of the population, in particular those of women.

36. **To ensure that women and girls are provided with equal opportunities to lead and to participate and engage in decision-making in activities relating to disaster risk reduction and climate change, the Committee recommends that States parties:**

(a) **Adopt targeted policies, such as temporary special measures, including quotas, as provided for in article 4 of the Convention and in general recommendation No. 25 (2004) on temporary special measures, as one element of a coordinated and regularly monitored strategy to achieve the equal participation of women in all decision-making and development planning relating to disaster risk reduction and climate change;**[17]

(b) **Develop programmes to ensure the participation of and leadership by women in political life, including through civil society organizations, in particular women's organizations, at various levels, in particular in the context of local and community planning and climate change and disaster preparedness, response and recovery;**

(c) **Ensure the equal representation of women in forums and mechanisms on disaster risk reduction and climate change, at the community, local, national, regional and international levels, in order to enable them to participate in and influence the development of policies, legislation and plans relating to disaster risk reduction and climate change and their implementation. States parties should also take positive measures to ensure that girls, young women and women belonging to indigenous and other marginalized groups are provided with opportunities to be represented in those mechanisms;**

(d) **Strengthen national institutions concerned with gender-related issues and women's rights, civil society and women's organizations and provide them with adequate resources, skills and authority to lead, advise, monitor and carry out strategies to prevent and respond to disasters and mitigate the adverse effects of climate change;**

(e) **Allocate adequate resources to building the leadership capacity of women and creating an enabling environment for strengthening their active role in disaster risk reduction and response and climate change mitigation, at all levels and across all relevant sectors.**

C. Accountability and access to justice

37. In line with article 15 (1) of the Convention, women should be accorded equality before the law, which is extremely important in situations of disaster and in the context of climate change, given that women, who often face barriers to gaining access to justice, may encounter significant difficulties in claiming compensation and other forms of reparation to mitigate their losses and to adapt to climate change. The recognition of the legal capacity of women as identical to that of men and equal between groups of women, including women with disabilities and indigenous women, as well as their equal access to justice, are essential elements of disaster and climate change policies and strategies.[18]

[17] See CEDAW/C/TUV/CO/2, paras. 55–56.

[18] See also general recommendation No. 33 (2015) on women's access to justice.

38. **States parties should ensure that legal frameworks are non-discriminatory and that all women have effective access to justice, in line with general recommendation No. 33, including by:**

(a) **Conducting a gender impact analysis of current laws, incorporating those that are applied in plural legal systems, including customary, traditional and religious norms and practices, to assess their effect on women with regard to their vulnerability to disaster risk and climate change, and adopt, repeal or amend laws, norms and practices accordingly;**

(b) **Increasing awareness among women of the available legal remedies and dispute resolution mechanisms and their legal literacy, by providing them with information on their rights and on policies and programmes relating to disaster risk reduction and climate change and empowering them to exercise their right to information in that context;**

(c) **Ensuring affordable or, if necessary, free access to legal services, including legal aid, as well as to official documents such as birth, death and marriage certificates and land registration documents and deeds. Reliable and low-cost administrative systems should be implemented to make such documentation accessible and available to women in situations of disaster so that they are able to benefit from such services as relief payments and compensation;**

(d) **Dismantling barriers to women's access to justice by ensuring that formal and informal justice mechanisms, including alternative dispute resolution mechanisms, are in conformity with the Convention and made available and accessible, in order to enable women to claim their rights. Measures to protect women from reprisals when claiming their rights should also be developed;**

(e) **Minimizing disruptions to legal and justice systems that may result from disasters and climate change, by developing response plans that provide for the deployment of mobile or specialized reporting mechanisms, investigative teams and courts. Flexible and accessible legal and judicial mechanisms are of particular importance for women and girls wishing to report incidents of gender-based violence.**

V. Specific principles of the Convention relevant to disaster risk reduction and climate change

A. Assessment and data collection

39. The gender-related dimensions of disaster risk reduction and the impacts of climate change are often not well understood. Limited technical capacity at the national and local levels has resulted in a lack of data disaggregated by sex, age, disability, ethnicity and geographical location, which continues to impede the development of appropriate and targeted strategies for disaster risk reduction and climate change response.

40. **States parties should:**

(a) **Establish or identify existing national and local mechanisms to collect, analyse and manage, and for the application of, data disaggregated by sex, age, disability, ethnicity and region. Such data should be made publicly available and used to inform gender-responsive national and regional disaster risk reduction and climate resilience legislation, policies, programmes and budgets;**

(b) **Develop, on the basis of disaggregated data, specific and gender-responsive indicators and monitoring mechanisms to enable States parties to**

establish baselines and measure progress in areas such as the participation of women in initiatives relating to disaster risk reduction and climate change and in political, economic and social institutions. Integration with and coordination in the implementation of other existing frameworks, such as the United Nations Framework Convention on Climate Change, the 2030 Agenda for Sustainable Development and the Sendai Framework, are essential to ensuring a consistent and effective approach;

(c) Empower, build the capacity of and provide resources to, if necessary through donor support, the national institutions responsible for collecting, consolidating and analysing disaggregated data, across all relevant sectors, such as economic planning, disaster risk management, planning and monitoring of implementation of the Sustainable Development Goals, including at the local level;

(d) Incorporate climate information into disaster planning and decision-making at the subnational and national levels by ensuring that diverse groups of women are consulted as valuable sources of community knowledge on climate change.

B. Policy coherence

41. It is only recently that concerted efforts have been made to coordinate policies on gender equality, disaster risk reduction, climate change and sustainable development. While certain policy documents, such as the 2030 Agenda and the Sustainable Development Goals, integrate those objectives into their frameworks for implementation, much remains to be done at the national, regional and international levels to align policies. Programmes of action, budgets and strategies should be coordinated across sectors, including trade, development, energy, environment, water, climate science, agriculture, education, health and planning, and at levels of government, including local and subnational, national, regional and international, in order to ensure an effective and human rights-based approach to disaster risk reduction and climate change mitigation and adaptation.

42. **States parties should:**

(a) Engage in a comprehensive audit of policies and programmes across sectors and areas, including climate, trade and investment, environment and planning, water, food, agriculture, technology, social protection, education and employment, in order to identify the degree of integration of a gender equality perspective and any inconsistencies, with a view to reinforcing efforts aimed at disaster risk reduction and climate change mitigation and adaptation;

(b) Improve coordination between sectors, including those involved in disaster risk management, climate change, gender equality, health care, education, social protection, agriculture, environmental protection and urban planning, through such measures as the adoption of integrated national strategies and plans relating to disaster risk reduction and climate change that explicitly integrate a gender equality perspective into their approaches;

(c) Undertake gender impact assessments during the design, implementation and monitoring phases of plans and policies relating to disaster risk reduction and climate change;

(d) Develop, compile and share practical tools, information and best practices and methodologies for the effective integration of a gender equality perspective into legislation, policies and programmes in all sectors relevant to disaster risk reduction and climate change;

(c) Promote and strengthen the vital role played by subnational governments in disaster risk reduction, service provision, emergency response, land-use planning and climate change. To that end, adequate budgets should be allocated and mechanisms developed to monitor the implementation of legislation and policies at the subnational level.

C. Extraterritorial obligations, international cooperation and resource allocation

43. States parties have obligations both within and outside their territories to ensure the full implementation of the Convention, including in the areas of disaster risk reduction and climate change mitigation and adaptation. Measures such as limiting fossil fuel use, reducing transboundary pollution and greenhouse gas emissions and promoting the transition to renewable energy sources are regarded as crucial steps in mitigating climate change and the negative human rights impacts of the adverse effects of climate change and disasters globally. In its resolutions 26/27 and 29/15, the Human Rights Council noted that the global nature of climate change called for the widest possible cooperation by all countries and their participation in an effective and appropriate international response.[19]

44. There is currently an insufficient level of resources being dedicated to addressing the underlying structural causes of gender inequality that increase the exposure of women to disaster risk and the effects of climate change and to developing gender-responsive programmes in those areas. Low-income, climate-vulnerable countries face particular challenges in developing, implementing and monitoring gender-responsive disaster risk reduction and climate change prevention, mitigation and adaptation policies and programmes, as well as in promoting access to affordable technology, owing to the limited availability of national public financing and development assistance.

45. In accordance with the Convention and other international human rights instruments, an adequate and effective allocation of financial and technical resources for gender-responsive disaster and climate change prevention, mitigation and adaptation must be ensured through both national budgets and international cooperation. Any steps taken by States parties to prevent, mitigate and respond to climate change and disasters within their own jurisdictions or extraterritorially must be firmly grounded in the human rights principles of substantive equality and non-discrimination, participation and empowerment, accountability and access to justice, transparency and the rule of law.

46. **States parties, separately and in cooperation with others, should:**

(a) Take effective steps to equitably manage shared natural resources, in particular water, and limit carbon emissions, fossil fuel use, deforestation, near-surface permafrost degradation, soil degradation and transboundary pollution, including the dumping of toxic waste, and all other environmental, technological and biological hazards and risks that contribute to climate change and disasters, which tend to disproportionately negatively affect women and girls;

(b) Increase dedicated budget allocations, at the international, regional, national and local levels, to respond to gender-specific disaster and climate

[19] In his 2016 report (A/HRC/31/52, footnote 27), the Special Rapporteur on human rights and the environment noted that "the failure of States to effectively address climate change through international cooperation would prevent individual States from meeting their duties under human rights law to protect and fulfil the human rights of those within their own jurisdiction".

change prevention, preparedness, mitigation, recovery and adaptation needs in the infrastructure and service sectors;

(c) Invest in adaptability by identifying and supporting livelihoods that are resilient to disasters and climate change, sustainable and empowering for women, and in gender-responsive services that enable women to gain access to and benefit from those livelihoods;

(d) Increase access for women to appropriate risk reduction schemes, such as social protection, livelihood diversification and insurance;

(e) Integrate a gender equality perspective into relevant international, regional, national, sectoral and local programmes and projects, including those financed with international climate and sustainable development funds;

(f) Share resources, knowledge and technology to build disaster risk reduction and climate change adaptation capacity among women and girls, including by providing adequate, effective and transparent financing administered through participatory, accountable and non-discriminatory processes;

(g) Ensure that States, international organizations and other entities that provide technical and financial resources for disaster risk reduction, sustainable development and climate change incorporate a gender equality and women's rights perspective into the design, implementation and monitoring of all programmes and establish appropriate and effective human rights accountability mechanisms.

D. Non-State actors and extraterritorial obligations

47. The private sector and civil society organizations can play an important role in disaster risk reduction, climate resilience and the promotion of gender equality, at the national level and when operating transnationally. The development of public-private partnerships is promoted through a number of mechanisms, including in the context of the 2030 Agenda. Such partnerships may provide the financial and technical resources necessary to enable the creation of new infrastructure for disaster risk reduction and climate-resilient livelihoods.

48. In the United Nations Guiding Principles on Business and Human Rights, it is stipulated that businesses have a direct responsibility to respect and protect human rights, to act with due diligence to prevent human rights violations and to provide effective remedies for human rights violations connected to their operations. To ensure that private sector activities in the fields of disaster risk reduction and climate change respect and protect women's human rights, they must guarantee accountability and be participatory, gender-responsive and subject to regular human rights-based monitoring and evaluation.

49. States parties should regulate the activities of non-State actors within their jurisdiction, including when they operate extraterritorially. General recommendation No. 28 reaffirms the requirement under article 2 (e) to eliminate discrimination by any public or private actor, which extends to acts of national corporations operating extraterritorially.

50. Civil society organizations operating locally and internationally, sometimes in partnership with government authorities and the private sector, also have responsibilities to ensure that their activities in the fields of climate change and disaster risk reduction and management do no harm to local populations, and those

organizations should take steps to minimize the harm that they may inadvertently be causing simply by being present and providing assistance.[20]

51. **In relation to non-State actors, States parties should:**

(a) Create environments conducive to gender-responsive investment in disaster and climate change prevention, mitigation and adaptation, including through sustainable urban and rural development, the promotion of renewable energy and social insurance schemes;

(b) Encourage entrepreneurship among women and create incentives for women to engage in businesses involved in sustainable development and climate-resilient livelihood activities in areas such as the clean energy sector and agroecological food systems. Businesses working in those areas should also be encouraged to increase the number of women whom they employ, in particular in leadership positions;

(c) Conduct gender impact analyses of any proposed public-private partnerships in the areas of disaster risk reduction and climate change and ensure that diverse groups of women are involved in their design, implementation and monitoring. Particular attention should be paid to guaranteeing that all groups of women have physical and economic access to any infrastructure and services provided through public-private partnerships;

(d) Adopt regulatory measures to protect women from human rights violations by private business actors and ensure that their own activities, including those conducted in partnership with the private sector and civil society, respect and protect human rights and that effective remedies are available in the event of human rights violations relating to the activities of non-State actors. Such measures should be applied to activities occurring both within and outside of the territory the State party concerned.

E. Capacity development and access to technology

52. A lack of active participation by women in programmes relating to disaster risk reduction and climate change, in particular at the local level, impedes progress towards the implementation of gender equality commitments and the development of coordinated and effective policies and strategies for disaster risk reduction and climate resilience. Measures should be taken to build the capacity and capabilities of women, women's rights organizations and State entities to participate in gender-responsive disaster risk and climate assessments at the local, national, regional and international levels.

53. In its statement on gender and climate change, the Committee noted that policies that supported gender equality in access to and use and control of science and technology and formal and informal education and training would enhance a nation's capability in the areas of disaster reduction, mitigation and adaptation to climate change (A/65/38, part one, annex II). Too often, however, women have been unable to gain access to technology, training opportunities and information, owing to gender-based inequalities.

54. **States parties should:**

(a) Increase the participation of women in the development of plans relating to disaster risk reduction and climate change, by supporting their technical capacity and providing adequate resources for that purpose;

[20] See A/HRC/28/76, paras. 40 (g), 99 and 104.

(b) Institutionalize leadership by women at all levels in disaster prevention, preparedness, including the development and dissemination of early warning systems, response and recovery and climate change mitigation and adaptation;

(c) Ensure that early warning information is provided using technology that is modern, culturally appropriate, accessible and inclusive, taking into account the needs of diverse groups of women. In particular, the extension of Internet and mobile telephone coverage, as well as other reliable and cost-effective communications technology such as radios, and the accessibility of that technology for all women, including women belonging to indigenous and minority groups, older women and women with disabilities, should be actively promoted within the context of programmes relating to disaster risk reduction and climate change;

(d) Ensure that women have access to technology for preventing and mitigating the adverse effects of disasters and climate change on crops, livestock, homes and businesses and that they can use and economically benefit from climate change adaptation and mitigation technology, including that relating to renewable energy and sustainable agricultural production;

(e) Promote the understanding, application and use of the traditional knowledge and skills of women in disaster risk reduction and response and climate change mitigation and adaptation;

(f) Promote and facilitate contributions by women to the conceptualization, development and use of disaster risk reduction and climate science technology.

VI. Specific areas of concern

A. Right to live free from gender-based violence against women and girls

55. In its general recommendation No. 35, the Committee noted that gender-based violence against women was one of the fundamental social, political and economic means by which the subordinate position of women with respect to men and their stereotyped roles were perpetuated. It also highlighted situations of disaster and the degradation and destruction of natural resources as factors that affected and exacerbated gender-based violence against women and girls.

56. The Committee has also observed that sexual violence is common in humanitarian crises and may become acute in the wake of a national disaster. In a time of heightened stress, lawlessness and homelessness, women face an increased threat of violence (A/65/38, part two, annex II, para. 6).[21]

57. **In accordance with the Convention and general recommendation No. 35, States parties should:**

(a) Develop policies and programmes to address existing and new risk factors for gender-based violence against women, including domestic violence, sexual violence, economic violence, trafficking in persons and forced marriage,

[21] See also general commendation No. 19 (1992) on violence against women and general recommendation No. 35 (2017) on gender-based violence against women, updating general commendation No. 19, para. 14.

in the context of disaster risk reduction and climate change, and promote the participation and leadership of women in their development;

(b) Ensure that the minimum legal age of marriage is 18 years for both women and men. States parties should include training on the prevalence of early and forced marriage for all personnel involved in disaster response activities. In partnership with women's associations and other stakeholders, mechanisms should be established, within local and regional disaster management plans, to prevent, monitor and address early and forced marriages;

(c) Provide accessible, confidential, supportive and effective mechanisms for all women wishing to report gender-based violence;

(d) Develop, in partnership with a wide range of stakeholders, including women's associations, a system for the regular monitoring and evaluation of interventions designed to prevent and respond to gender-based violence against women, within programmes relating to disaster risk reduction and climate change;

(e) Provide training, sensitization and awareness-raising for the authorities, emergency services workers and other groups on the various forms of gender-based violence that are prevalent in situations of disaster and how to prevent and address them. The training should include information on the rights and needs of women and girls, including those from indigenous and minority groups, women and girls with disabilities, lesbian, bisexual and transgender women and girls and intersex persons, and the ways in which they may be exposed to and affected by gender-based violence;

(f) Adopt long-term policies and strategies to address the root causes of gender-based violence against women in situations of disaster, including by engaging with men and boys, the media, traditional and religious leaders and educational institutions, in order to identify and eliminate social and cultural stereotypes concerning the status of women.

B. Rights to education and to information

58. Article 10 of the Convention concerns the elimination of discrimination in education.[22] Education improves the capacity of women to participate within their households, families, communities and businesses and to identify the means to reduce disaster risk, mitigate climate change, develop more effective recovery strategies and thus build more resilient communities. Education also increases access to opportunities, resources, technology and information that aids in disaster risk reduction and the development of effective policies relating to climate change. The prevention and mitigation of disasters and climate change require well-trained women and men in disciplines including economics, agriculture, water resources management, climatology, engineering, law, telecommunications and emergency services.

59. In the aftermath of disasters, girls and women, whose access to education is often already limited as a result of social, cultural and economic barriers, may face even greater obstacles to participation in education, owing to the destruction of infrastructure, lack of teachers and other resources, economic hardship and security concerns.

[22] See general recommendation No. 36 (2017) on the right of girls and women to education.

60. In accordance with article 10 of the Convention and general recommendation No. 36, States parties should:

(a) Ensure, through regular inspections, that educational infrastructure is safe and resilient enough to withstand disasters and that adequate resources are dedicated to the protection of students and educators from the impacts of climate change and disasters;

(b) Allocate adequate resources and budgets so that schools and other educational facilities are built to withstand hazards, reconstructed on the basis of sound disaster risk assessment and building codes and rendered operational as expeditiously as possible following disasters. The reintegration of girls and other groups for which education has not traditionally been valued should be prioritized through specific outreach programmes, with a view to ensuring that girls and women are not excluded from education in the wake of disasters;

(c) Ensure that women and girls have equal access to information, including scientific research, and education regarding disasters and climate change. That information should form part of the core educational curricula at each level of instruction;

(d) Prioritize innovative and flexible gender-responsive educational programmes, including at the community level, to enable women to develop the skills required to adapt to the changing climate and engage in sustainable development initiatives. Specific programmes and scholarships should be established to support girls and women in undertaking education and training in all areas relating to disaster risk reduction and management and environmental and climate science.

C. Rights to work and to social protection

61. Disasters and climate change directly affect women, in particular those living in poverty, by having an impact on their livelihoods. Economic inequalities between women and men are entrenched and reinforced through discrimination, including restrictions on ownership and control of land and property, unequal remuneration, the concentration of women in precarious, informal and unstable employment, sexual harassment and other forms of workplace violence, pregnancy-related discrimination in employment, gendered divisions of household labour and the undervaluing of the contributions of women in domestic, community and care work, as well as workplace discrimination including labour and sexual exploitation, land grabs and environmental destruction by abusive extractive industries and due to unregulated industrial and/or agro-industrial activities. All such gender-based discrimination limits the capacity of women to prevent and adapt to the harm generated by disasters and climate change.

62. The burden of caregiving and domestic work often increases for women following disasters. The destruction of food stocks, housing and infrastructure such as water and energy supplies and an absence of social protection systems and health-care services all have specific consequences for women and girls. The result of such gendered inequalities is the increased vulnerability and mortality levels among women and girls, and they are frequently left with less time to engage in economic activities or to gain access to the resources, including information and education, necessary for recovery and adaptation.[23]

[23] See, for example, A/55/38, para. 339.

63. Social and legal inequalities further restrict the ability of women to move to safer, less disaster-prone areas and may limit women's rights to access to financial services, credit, social security benefits and secure tenure of land and other productive resources.[24]

64. **States parties should:**

(a) **Invest in gender-responsive social protection systems and social services that reduce economic inequalities between women and men and enable women to mitigate disaster risk and adapt to the adverse effects of climate change. Eligibility criteria for social protection schemes should be closely monitored to ensure that they are accessible to all groups of women, including women heads of household, unmarried women, internally displaced, migrant and refugee women and women with disabilities;**

(b) **Ensure the resilience to disasters of workplaces and critical infrastructure, including nuclear reactors and plants, through regular inspections and the adoption of building safety codes and other systems to guarantee that such infrastructure, in particular that which is necessary for income-generating and domestic activities, is rendered operational as expeditiously as possible following disasters;**

(c) **Guarantee women's equal right to decent and sustainable employment opportunities, as provided for in article 11 of the Convention, and apply that right in the context of disaster prevention, management and recovery and in connection with climate change adaptation in both urban and rural areas;**

(d) **Facilitate equal access for women to markets, financial services, credit and insurance schemes and regulate the informal economy to ensure that women are able to claim pensions and other employment-related social security entitlements;**

(e) **Acknowledge and address the unequal burden of the unpaid and care work performed by women, including within disaster and climate policies. Policies and programmes should be developed to assess, reduce and redistribute the gendered burden of care tasks, such as awareness-raising programmes on the equal sharing of domestic work and unpaid care work, the introduction of time-saving measures and the inclusion of appropriate technology, services and infrastructure;**

(f) **Protect and promote women's right to access to training in non-traditional areas of work, including within the green economy, and sustainable livelihoods, which would enable them to design, participate in, manage and monitor disaster and climate change prevention, preparedness, mitigation and adaptation initiatives and better equip them to benefit from such interventions.**

D. Right to health

65. Under article 12 of the Convention, States parties are to guarantee substantive equality between women and men in the provision of health-care services, including sexual and reproductive health services and mental and psychological health services. The measures that States parties must take, under article 12, in order to respect, protect and fulfil the right to health for all women are detailed in the Committee's general recommendation No. 24 (1999) on women and health. Health services and

[24] See general recommendation No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution and general recommendation No. 34 (2016) on the rights of rural women.

systems, including sexual and reproductive health services, should be available, accessible, acceptable and of good quality, even in the context of disasters.[25] To that end, measures should be taken to ensure that gender-responsive climate change and disaster resilience policies, budgets and monitoring activities are fully integrated into health services and systems.[26]

66. Climate change and disasters, including pandemics, influence the prevalence, distribution and severity of new and re-emerging diseases. The susceptibility of women and girls to disease is heightened as a result of inequalities in access to food, nutrition and health care and the social expectations that women will act as primary caregivers for children, older persons and the sick.

67. States parties should ensure that detailed policies and budget allocations are made to promote, protect and fulfil women's right to health, including sexual and reproductive health and comprehensive, age-appropriate sexuality education, mental and psychological health, hygiene and sanitation. Provisions for antenatal and postnatal care, such as emergency obstetric care and support for breastfeeding, should form part of strategies, plans and programmes relating to climate change and disasters.

68. **In particular, States parties should:**

(a) **Ensure participation, including in decision-making positions, by diverse groups of women and girls in the planning, implementation and monitoring of health policies and programmes and in the design and management of integrated health services for women in the context of disaster risk management and climate change;**

(b) **Invest in climate- and disaster-resilient health systems and services and allocate the maximum of their available resources to the underlying determinants of health, such as clean water, adequate nutrition and sanitation facilities and menstrual hygiene management. Those investments should be geared towards transforming health systems so that they are responsive to the changing health-care needs arising from climate change and disasters and sufficiently resilient to cope with those new demands;**

(c) **Ensure the removal of all barriers to access for women and girls to health services, education and information, including in the areas of mental and psychological health, oncological treatment and sexual and reproductive health, and, in particular, allocate resources for cancer screening, mental health and counselling programmes and programmes for the prevention and treatment of sexually transmitted infections, including HIV, and treatment for AIDS, before, during and after disasters;**

(d) **Accord priority to the provision of family-planning and sexual and reproductive health information and services, within disaster preparedness and response programmes, including access to emergency contraception, post-exposure prophylaxis for HIV, treatment for AIDS and safe abortion, and reduce maternal mortality rates through safe motherhood services, the provision of qualified midwives and prenatal assistance;**

(e) **Monitor the provision of health services to women by public, non-governmental and private organizations, to ensure equal access to and quality of**

[25] WHO, "Gender inequities in environmental health", EUR/5067874/151 (2008).

[26] Intergovernmental Panel on Climate Change, *Climate Change 2014: Impacts, Adaptation, and Vulnerability–Part A: Global and Sectoral Aspects, Working Group II Contribution to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change* (New York, Cambridge University Press, 2014), p. 733.

care that responds to the specific health needs of diverse groups of women, in the context of disasters and climate change;

(f) Require that all health services operating in situations of disaster function to promote the human rights of women, including the rights to autonomy, privacy, confidentiality, informed consent, non-discrimination and choice. Specific measures to ensure the promotion and protection of the rights of women and girls with disabilities, women and girls belonging to indigenous and minority groups, lesbian, bisexual and transgender women and girls, intersex persons, older women and women and girls belonging to other marginalized groups should be explicitly included in health-care policies and standards relating to situations of disaster;

(g) Ensure that training curricula for health workers, including in emergency services, incorporate comprehensive, mandatory, gender-responsive courses on women's health and human rights, in particular gender-based violence. Health-care providers should be made aware of the linkages between increased disaster risk, climate change and the growing potential for public health emergencies as a result of shifting disease patterns. The training should also include information on the rights of women with disabilities and women belonging to indigenous, minority and other marginalized groups;

(h) Collect and share data on gender-based differences in vulnerability to infectious and non-infectious diseases occurring in situations of disaster and as a result of climate change. That information should be used to develop integrated rights-based disaster and climate change action plans and strategies.

E. Right to an adequate standard of living

Food, land, housing, water and sanitation

69. The impacts of climate change are already being experienced in many areas, in connection with decreased food security, land degradation and more limited availability of water and other natural resources. There is evidence that the effects of food, land and water insecurity are not gender-neutral and that women are more likely to suffer from undernourishment and malnutrition in times of food scarcity.[27] It has also been shown that women and girls, who are those with the primary responsibility for growing, gathering and preparing food and collecting fuel and water in many societies, are disproportionately affected by a lack of available, affordable, safe and accessible drinking water and fuel sources. The additional burden placed on women and girls by such climate-related resource scarcity drains time, causes physical hardship, increases exposure to the risk of violence and increases stress.[28]

70. Women, in particular rural and indigenous women, are directly affected by disasters and climate change, as food producers and as agricultural workers because they make up the majority of the world's smallholder and subsistence farmers and a significant proportion of farmworkers. As a result of discriminatory laws and social norms, women have limited access to secure land tenure, and the farmland that they are allotted tends to be of inferior quality and more prone to flooding, erosion or other adverse climatic events. Owing to the increasing rate of out-migration among men in climate change-affected areas, women are left with the sole responsibility for farming, yet they do not possess the legal and socially recognized land ownership necessary to

[27] See, for example, CEDAW/C/NPL/CO/4–5.

[28] WHO, "Gender, climate change and health".

adapt to the changing climatic conditions effectively. Women are also indirectly affected by the impacts of weather-related events on the price of foodstuffs.

71. Articles 12 and 14 of the Convention contain specific guarantees on nutrition and the equal participation of women in decision-making about food production and consumption. In addition, the core obligations of States parties to eliminate discrimination, outlined in article 2, to modify cultural patterns of behaviour based on discriminatory stereotypes, in article 5 (a), to ensure equality before the law, in article 15, and to guarantee equality within marriage and family relations, in article 16, are of central importance to addressing women's rights to land and productive resources, which are vital to ensuring the right to food and sustainable livelihoods.

72. **States parties should:**

(a) **Promote and protect women's equal rights to food, housing, sanitation, land and natural resources, including adequate drinking water, water for domestic use and for food production, and take positive measures to guarantee the availability and accessibility of those rights, even during times of scarcity. Particular attention should be paid to ensuring that women living in poverty, in particular those in informal settlements in both urban and rural areas, have access to adequate housing, drinking water, sanitation and food, especially in the context of disasters and climate change;**

(b) **Increase resilience to the impacts of disasters and climate change among women by identifying and supporting livelihoods that are sustainable and empowering, and develop gender-responsive services, including extension services to assist women farmers, that enable women to gain access to and benefit from those livelihoods;**

(c) **Develop participatory, gender-responsive development plans and policies that integrate a human rights-based approach, in order to guarantee sustainable access to adequate housing, food, water and sanitation. Priority should be given to ensuring the accessibility of services for all women;**

(d) **Adopt legislation, programmes and policies and allocate budgets to eliminate homelessness and to ensure that adequate and disaster resilient housing is available and accessible to all women, including those with disabilities. Measures must be taken to protect women against forced eviction and to ensure that public housing and rental assistance schemes accord priority and respond to the specific needs of groups of women.**

F. Right to freedom of movement

73. The increasing frequency and intensity of extreme weather events and environmental degradation resulting from climate change are likely to lead to significant population displacement both within countries and across borders.[29]

74. The Committee and many other international human rights bodies, including the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, have recognized that disasters and climate change are among the push

[29] United Nations Entity for Gender Equality and the Empowerment of Women, "Addressing gender dimensions in large-scale movements of refugees and migrants", joint statement by the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Committee on the Elimination of Discrimination against Women, the United Nations Entity for Gender Equality and the Empowerment of Women and the Office of the United Nations High Commissioner for Human Rights, 19 September 2016.

factors for migration, in particular among women.[30] In several regions, climate change and disasters are contributing to an increase in the migration of women, on their own, into sectors of work done predominantly by women, for the purposes of supporting family members who no longer have local livelihood opportunities.

75. Women migrants face a heightened risk of gender-based violence, including trafficking in persons, and other forms of discrimination in transit, in camps, at borders and in destination countries. Women may also face specific human rights violations during migration and at their destination, owing to a lack of adequate sexual, reproductive and mental health services and discrimination in gaining access to employment, social security, education, housing, legal documents such as birth or marriage certificates, and justice. Migrant women and girls are frequently subject to intersecting forms of discrimination. Women who migrate may also be vulnerable to the impacts of climate change in destination areas, in particular in urban centres in developing countries.

76. In many contexts, however, women are impeded from leaving regions that are at high risk of disaster or migrating to re-establish their lives in the wake of extreme climatic events.[31] Gender-based stereotypes, household responsibilities, discriminatory laws, lack of economic resources and limited access to social capital frequently restrict the ability of women to migrate.

77. Women who are left behind when male family members migrate may also find themselves having to take on non-traditional economic and community leadership tasks for which they have had little preparation or training, such as when disasters occur and women must assume primary responsibility for coordinating mitigation, recovery and adaptation efforts.

78. In accordance with the Convention and general recommendation No. 26 (2008) on women migrant workers and general recommendation No. 32, States parties should:

(a) Ensure that migration and development policies are gender responsive and that they include sound disaster risk considerations and recognize disasters and climate change as important push factors for internal displacement and migration. That information should be incorporated into national and local plans for monitoring and supporting the rights of women and girls during migration and displacement;

(b) Facilitate the participation of migrant women, including those who have been displaced as a result of disasters and climate change, in the development, implementation and monitoring of policies designed to protect and promote their human rights at all phases of migration. Particular efforts must be made to involve migrant women in designing appropriate services in areas including mental health and psychosocial support, sexual and reproductive health, education and training, employment, housing and access to justice;

(c) Ensure gender balance among the border police, military personnel and government officials responsible for the reception of migrants and train those groups on the gender-specific harm that migrant women may face, including the increased risk of violence;

(d) Integrate human mobility-related considerations into disaster risk reduction and climate change mitigation and adaptation policies, taking into

[30] Ibid. See also general recommendation No. 26 (2008) on women migrant workers.

[31] Asian Development Bank, *Gender Equality and Food Security: Women's Empowerment as a Tool against Hunger* (Mandaluyong City, Philippines, 2013), p. 12.

account the specific rights and needs of women and girls, including unmarried women and women heads of household, before, during and after disasters.

VII. Dissemination and reporting

79. To effectively prevent and mitigate the impacts of disasters and climate change, States parties and other stakeholders should take measurable and targeted steps to collect, analyse and disseminate information and data concerning the development of strategies, policies and programmes designed to address gender inequalities, reduce disaster risk and increase resilience to the adverse effects of climate change.

80. Cooperative networks between civil society organizations working in the field of gender equality and those working in humanitarian assistance, disaster risk reduction and climate change should be established and should include national human rights institutions, government agencies at all levels and international organizations.

81. **To ensure that effective monitoring and reporting systems are established, States parties should:**

(a) **Design and institutionalize reliable mechanisms to collect and analyse data and monitor and disseminate findings across all areas relevant to disaster risk reduction, climate change and gender equality;**

(b) **Ensure the participation of women at the subnational, national, regional and international levels in data collection and analysis and the monitoring and dissemination of findings;**

(c) **Include information in their periodic reports to the Committee on the legal frameworks, strategies, budgets and programmes that they have implemented to ensure that the human rights of women are promoted and protected within policies relating to climate change and disaster risk reduction;**

(d) **Translate the present general recommendation into national and local languages, including indigenous and minority languages, and disseminate it widely to all branches of government, civil society, the media, academic institutions and women's organizations.**